

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ROBERT ROYCE BYFORD,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:11-cv-00112-JCM-WGC

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 113)**

In this capital habeas corpus action, the petitioner, Robert Royce Byford, represented by appointed counsel, filed a third amended petition for writ of habeas corpus on January 30, 2020 (ECF No. 92). Respondents filed a motion to dismiss the third amended petition on September 25, 2020 (ECF No. 107). After a 62-day extension of time, Byford was due to respond to the motion to dismiss by January 25, 2021. See Order entered October 24, 2019 (ECF No. 88); Order entered December 11, 2020 (ECF No. 112).

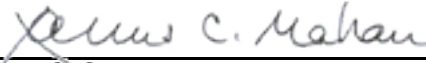
On January 25, 2021, Byford filed a motion for extension of time (ECF No. 113), requesting a further 25-day extension of time, to February 19, 2021. Byford's counsel states that the extension of time is necessary because of his obligations in other cases. Respondents do not oppose the motion for extension of time.

The Court finds that Byford's motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

IT IS THEREFORE ORDERED that Petitioner's motion for extension of time (ECF No. 113) is **GRANTED**. Petitioner will have until and including **February 19, 2021**, to respond to the motion to dismiss.

1 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
2 proceedings set forth in the order entered October 24, 2019 (ECF No. 88) will remain in
3 effect.

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5 DATED January 27, 2021.

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9 JAMES C. MAHAN,
10 UNITED STATES DISTRICT JUDGE
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